

LAW OFFICES OF
FAY KAPLUN & MARCIN, LLP
INTELLECTUAL PROPERTY LAW

150 BROADWAY, SUITE 702
NEW YORK, NEW YORK 10038
PHONE: (212) 619-6000
FAX: (212) 619-0276
WWW.FKMIPLAW.COM

RECEIVED
CENTRAL FAX CENTER
SEP 26 2006

FACSIMILE COVER SHEET

FAX NO : 571-273-8300
TO : Commissioner for Patents
Mail Stop: Amendments
FROM : Oleg F. Kaplun, of Fay Kaplun & Marcin, LLP
DATE : September 26, 2006
SUBJECT : Endoscopy
U.S. Patent Appln. Serial No. 10/764,619
*for Stapling and Cutting in Resectioning for Full
Thickness Resection Devices*
Our Ref.: 10121/00308

NUMBER OF PAGES INCLUDING COVER : 13

MESSAGE:

Please see attached.

Thank you.

IF ANY PAGES WERE NOT RECEIVED OR ARE ILLEGIBLE, PLEASE CALL (212) 619-6000 AS SOON AS POSSIBLE

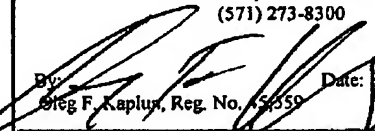
The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. We will reimburse any costs you incur in notifying us and returning the message to us. Thank you.

Attorney Docket No. 10121/00308 (00-0044CON2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
CENTRAL FAX CENTER
SEP 26 2006**

Applicant : McAlister et al.
Serial No. : 10/764,619
Filed : January 26, 2004
For : Stapling and Cutting in Resectioning for Full Thickness
Resection Devices
Group Art Unit : 3734
Examiner : Michael T. Andersen

Mail Stop: Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|--|--------------------------|
| Certificate of Facsimile | |
| I hereby certify that this correspondence is being deposited facsimile to: | |
| Mail Stop: Amendments Commissioner for Patents Alexandria, VA 22313-1450 (571) 273-8300 | |
| By:  | Date: September 26, 2006 |
| Greg F. Kaplun, Reg. No. 45,559 | |

TRANSMITTAL

Transmitted herewith please find an Amendment in response to the Notice of Non-Compliant Amendment mailed on September 19, 2006 and the Non-Final Office Action mailed June 14, 2006 in the above-identified application. No fees are believed to be required. However, if any fees are required, please charge the Deposit Account of Fay Kaplun & Marcin, LLP No. 50-1492. A copy of the Transmittal is enclosed for this purpose.

Respectfully submitted,

Dated: September 26, 2006


By: _____
Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, N.Y. 10038
(212) 619-6000 (telephone)
(212) 619-0276 (facsimile)

Attorney Docket No. 10121/00308 (00-0044CON2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED
CENTRAL FAX CENTER

SEP 26 2006

Applicant : McAlister et al.
Serial No. : 10/764,619
Filed : January 26, 2004
For : Stapling and Cutting in Resectioning for Full Thickness
Resection Devices
Group Art Unit : 3734
Examiner : Michael T. Andersen

Mail Stop: Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

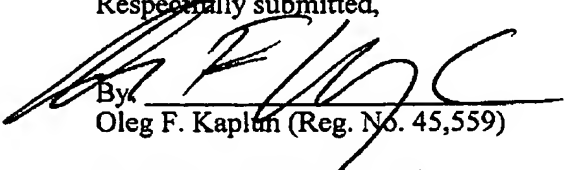
| | |
|--|--------------------------|
| Certificate of Facsimile | |
| I hereby certify that this correspondence is being deposited facsimile to: | |
| Mail Stop: Amendments Commissioner for Patents Alexandria, VA 22313-1450 (571) 273-8300 | |
| By: Oleg F. Kaplun, Reg. No. 45,559 | Date: September 26, 2006 |

TRANSMITTAL

Transmitted herewith please find an Amendment in response to the Notice of Non-Compliant Amendment mailed on September 19, 2006 and the Non-Final Office Action mailed June 14, 2006 in the above-identified application. No fees are believed to be required. However, if any fees are required, please charge the **Deposit Account of Fay Kaplun & Marcin, LLP No. 50-1492**. A copy of the Transmittal is enclosed for this purpose.

Respectfully submitted,

Dated: September 26, 2006

By: 
Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, N.Y. 10038
(212) 619-6000 (telephone)
(212) 619-0276 (facsimile)

RECEIVED
CENTRAL FAX CENTER
SEP 26 2006

Attorney Docket No. 10121/00308 (00-0044CON2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : McAlister et al.
Serial No. : 10/764,619
Filed : January 26, 2004
For : Stapling and Cutting in Resectioning for Full Thickness
Resection Devices
Group Art Unit : 3734
Examiner : Michael T. Andersen

Mail Stop: Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

In response to the Notice of Non-Compliant mailed on September 19, 2006 and the Non-Final Office Action mailed on June 14, 2006, please amend the above-identified application as follows: